

Turner	Wasserman	Whitfield
Udall (CO)	Schultz	Wicker
Udall (NM)	Waters	Wilson (NM)
Upton	Watson	Wilson (OH)
Van Hollen	Watt	Wilson (SC)
Velázquez	Waxman	Wolf
Visclosky	Weiner	Woolsey
Walberg	Welch (VT)	Wu
Walden (OR)	Weldon (FL)	Wynn
Walz (MN)	Weller	Yarmuth
Wamp	Westmoreland	Young (AK)
	Wexler	Young (FL)

NOT VOTING—15

Baird	Jones (OH)	Putnam
Berkley	Kirk	Radanovich
Brown, Corrine	McGovern	Shays
DeGette	McMorris	Walsh (NY)
Gohmert	Rodgers	
Hunter	Peterson (PA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1649

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. ROGERS of Michigan. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution I noticed on May 21, 2007.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 428

Whereas the Code of Official Conduct provides that a Member “may not condition the inclusion of language to provide funding for a Congressional earmark . . . on any vote cast by another member”;

Whereas Chairman Reyes filed the Report to accompany the bill H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008;

Whereas the report states that, with respect to the requirements of clause 9 of House Rule XXI, “The following table provides the list of such provisions included in the bill or report,” and includes a table of 26 items identifying “Requesting Member,” “Subject,” and “Dollar Amount (in Thousands)”;

Whereas the referenced table includes an item denoted as: Requesting Member, Mr. Murtha; Subject, NATIONAL INTELLIGENCE PROGRAM COMMUNITY MANAGEMENT ACCOUNT—National Drug Intelligence Center; Dollar Amount, \$23 million;

Whereas the Gentleman from Michigan, Mr. Rogers, offered and voted for a motion to recommit the bill to change the provisions of the aforementioned Murtha earmark during its consideration in the House;

Whereas as a result of Mr. Rogers’ motion and vote on the Murtha earmark, the Gentleman from Pennsylvania, Mr. Murtha subsequently threatened to withdraw support for earmarks providing funding for projects located in the Gentleman from Michigan’s district;

Whereas on May 17, 2007, in the House Chamber, the Gentleman from Pennsylvania stated, in a loud voice words to the effect, to the Gentleman from Michigan as a result of offering and voting for the motion to recommit, “I hope you don’t have any earmarks in

the defense appropriation bill because they are gone and you will not get any earmarks now and forever.”;

Whereas the Gentleman from Michigan responded, in words to the effect, “this is not the way we do things here and is that supposed to make me afraid of you?”;

Whereas the Gentleman from Pennsylvania raised his voice, pointed his finger and stated, in words to the effect, “that’s the way I do it.”;

Whereas the gentleman from Pennsylvania (Mr. Murtha) is the ninth most senior member of Congress, whose seniority ranks him over 426 of his 433 colleagues in the House;

Whereas the gentleman from Pennsylvania chairs the Appropriations Subcommittee on Defense;

Whereas the gentleman from Pennsylvania (Mr. Murtha), the second-ranking and second longest serving Democrat on the Appropriations Committee, has been described in numerous media accounts as a master of the legislative process and an expert on earmarks; and

Whereas the gentleman from Pennsylvania (Mr. Murtha) has stated that he is a former member of the House Committee on Standards of Official Conduct, whose members are among the most knowledgeable in the House concerning the ethical obligations of Members of Congress: Now, therefore, be it

Resolved, That the Member from Pennsylvania, Mr. Murtha has been guilty of a violation of the Code of Official Conduct and merits the reprimand of the House for the same.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 189, answered “present” 13, not voting 11, as follows:

[Roll No. 402]

AYES—219

Abercrombie
Ackerman
Allen
Altmiere
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor

Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel

Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee

Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)

Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarelli
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Bartlett (MD)
Barton (TX)
Biggart
Billbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake

Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)

Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt

Sensenbrenner	Sullivan	Weldon (FL)
Sessions	Tancredo	Weller
Shadegg	Terry	Westmoreland
Shimkus	Thornberry	Whitfield
Shuster	Tiahrt	Wicker
Simpson	Tiberi	Wilson (NM)
Smith (NE)	Turner	Wilson (SC)
Smith (NJ)	Upton	Wolf
Smith (TX)	Walberg	Young (AK)
Souder	Walden (OR)	Young (FL)
Stearns	Wamp	

ANSWERED "PRESENT"—13

Barrett (SC)	Hastings (WA)	Roybal-Allard
Bonner	Jones (NC)	Shuler
Delahunt	Kline (MN)	Snyder
Gilchrest	Matheson	
Green, Gene	McCaull (TX)	

NOT VOTING—11

Baird	Jones (OH)	Shays
Berkley	Kirk	Walsh (NY)
Brown, Corrine	McMorris	
DeGette	Rodgers	
Hunter	Putnam	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on the vote.

□ 1710

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1100, CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-165) on the resolution (H. Res. 429) providing for consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SENATE AMNESTY BILL IS DOA IN FLORIDA'S FIFTH DISTRICT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, when I was a child and I misbehaved, my mother would give me a stare that could curdle milk. Believe me, when I saw that stare, I knew how angry she was.

Well, after reading the Senate amnesty giveaway plan, I now know how to give that same look, and so do my constituents. Rather than doing what the American people want, securing our borders, the Senate has thrown open the barn doors and given away the farm.

Our Nation already faces huge deficits in Medicare, Medicaid and Social Security. Now the Senate and President Bush want to give away to anywhere from 12 to 20 million illegal immigrants the possibility to get welfare benefits, Social Security and Medicare.

My constituents back home in Florida work hard each and every day to pay their taxes and to keep America strong. In contrast, the Senate amnesty plan rewards illegal behavior and gives away our constituents' hard-earned Social Security and Medicare dollars.

Listen up, America. The Senate amnesty plan is a tax amnesty bill. This is bad legislation.

THIS HOUSE IS FALLING DOWN AROUND THE MAJORITY'S PROMISES

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, I didn't have planned remarks, but then again, I didn't think what we just witnessed would take place today.

We had heard for 1½ years, 2 years, that if the Democratic Party got the majority in this House, we would have the most bipartisan Congress ever. We were told there would be no earmarks if the Democratic majority took control of this House. There would be all love and affection.

Well, of course, we saw how procedural rules went early this year, had things crammed down our throats, no chance for amendments, no participation, no committee involvement. Then we have a threat, an unrefuted allegation of a threat over earmarks. Unbelievable.

This party that was going to be so bipartisan will not even let discussion take place over whether or not a threat occurred. This House is falling down around the majority's promises.

□ 1715

IMMIGRATION REFORM

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, let me just for a moment talk about where we are at this point with immigration reform, as from my observation I see the Senate has done some of the work. It negotiated the bill that they will then bring before their house, and further negotiations will take place, and bill amendments will be made to that legislation. Ultimately they will pass a bill on immigration reform in their house.

We will then have an opportunity on our side to do a similar measure. It will be different from the Senate when they go to conference. In that conference, hopefully we will be able to get to a bill we can all agree upon, we can send to the President, and the President can sign into law.

Let's not rush to judgment on what that legislation will be. This bill is not going to be amnesty. This bill is going to be one that will secure our borders, that will create a virtual fence, one that will address the issues of illegal

immigration, but also address the issue of the 12 million undocumented, those who find themselves in illegal status here in the United States today. The human element is as much an important part of how we move forward to deal with this issue, and I hope that all my colleagues keep an open mind as the debate moves forward.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COURTNEY). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SUPPORTING THE PRESUMPTION OF INNOCENCE FOR ACCUSED MARINES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, only those who have been to war can truly understand the hell of war. I have not been to war, but I know enough to understand that when our men and women are in harm's way, we should be respectful of the extreme dangers they encounter. Most of us cannot imagine the stress that those in uniform undergo when they have to make a split-second decision as to whether to fire or be fired upon, to kill or be killed.

Recently in Afghanistan, the vehicle convoy of U.S. Special Operations marines stationed at Camp Lejeune was struck by a suicide bomber during an ambush. After the incident, why I do not know, an Army official felt compelled to speak out in the press. Whether intentionally or not, this Army officer implicated the marines in the killing of Afghanistan civilians by stating, "Americans have killed and wounded innocent Afghan people."

His comments were irresponsible and without respect for his fellow comrades. The four branches of the military are a family. No one in the military family should be in the newspapers criticizing a fellow member of that family who has been faced with death. And, because of his comments to the press, these marines have been publicly indicted as indiscriminate killers.

Mr. Speaker, President Theodore Roosevelt once said, "A man who is good enough to shed his blood for his country is good enough to be given a square deal afterwards. More than that no man is entitled, and less than that no man shall have."

To ensure due process for these marines, all military officials should refrain from making public comments or expressing their opinions about the incident until the investigation is complete and all the facts are verified. Mr. Speaker, our military servicemembers, the military family, and certainly these marines deserve no less.